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February 22, 2017

Senator Patti Ann Lodge, Chairman  
Senate Judiciary and Rules Committee  
Statehouse  
Boise, ID 83720

**RE: S1090 Medical Consent**

Chairman Lodge and Committee Members:

The Council on Developmental Disabilities is authorized by federal and state law to monitor systems and policies and to advocate for improved and enhanced services that enable Idahoans with developmental disabilities to live meaningful lives, included in their communities. The Council is comprised of 23 volunteers appointed by the Governor.

The Council recognizes the rights of individuals with intellectual and developmental disabilities to direct their own healthcare and decisions about their medical treatment. We believe individuals are able to make competent decisions when they have proper support and information provided to them in a way they understand.

We have heard from many Idahoans with developmental disabilities that their voice, - their fundamental human right to decide about what happens to their body - has been ignored or denied before or during medical treatment. Medical professionals often make an assumption that a person is not able to make competent medical decisions even though the nature of their disability does not impair their ability to do so.

The Council is very concerned about situations where medical professionals demand a guardian make medical decisions for an individual with a developmental disability who has not been determined by the court that guardianship is necessary.

The Council believes Senate Bill 1090 addresses many of these concerns and provides guidance to medical professionals working with individuals who have intellectual and developmental disabilities who do not have guardians or partial guardians. These changes help to ensure their voice is heard in decisions about their medical treatment.

Tracy Warren  
Program Specialist